

REMARKS/ARGUMENTS

Claims 1-20 are pending. The claims have been revised to more clearly read on the previously-elected subject matter. The last two clauses of independent Claim 1 have been added to avoid the prior art. Support for this language is found throughout the specification and specifically in the definitions of X, A and R² substituents in original Claim 1 and in the specification on pages 2 and 7. Accordingly, the Applicants do not believe that any new matter has been added.

The Applicants thank Examiner Dentz for the courteous and helpful interview of September 24, 2003. It was suggested that the Applicants may avoid the prior art rejections over Muller et al., U.S. Patent No. 5,889,045 and Powell et al., U.S. Patent No. 4,606,753 by revising Claim 1 to avoid the genus of compounds disclosed by either of these documents. The Applicants were advised to revise the claim set to encompass only subject matter falling within elected Group III. The Applicants believe the revised claim language above track these suggestions, and respectfully request favorable consideration of this application.

Objection—Misjoinder of Invention

Claims 1-7 and 11-20 were objected to for misjoinder of invention. This objection is moot in view of the revision of the claim set to be directed to elected subject matter.

Rejection—35 U.S.C. 102(e)

Claims 1-4 and 11-20 were rejected under 35 U.S.C. 102(e) as being anticipated by Muller et al., U.S. Patent No. 5,889,045. This rejection is moot in view of the amendment of the claims to avoid the prior art.

Rejection—35 U.S.C. 102(b)

Claims 1-4 and 11-20 were rejected under 35 U.S.C. 102(b) as being anticipated by Powell et al., U.S. Patent No. 4,606,753. This rejection is moot in view of the amendment of the claims to avoid the prior art.

Allowable Subject Matter

The Applicants thank Examiner Dentz for indicating that Claim 10 is otherwise in condition for allowance.

CONCLUSION

In view of the above amendments and remarks, the Applicants respectfully submit that this application is now in condition for allowance. An early notification to that effect is diligently solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Attorney of Record
Registration No. 24,618

Thomas M. Cunningham
Registration No. 45,394

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
TMC/bwt